

U.S. Patent Application Serial No. 10/618,717  
Response filed October 27, 2005  
Reply to OA dated July 27, 2005

### **REMARKS**

Claims 1 and 5 have been amended in order to more particularly point out, and distinctly claim the subject matter to which the applicants regard as their invention. It is believed that this Amendment is fully responsive to the Office Action dated July 27, 2005.

Claims 1- 8 are pending for prosecution in this case, claims 1 and 5 being independent claims, and claims 9 - 18 having been withdrawn.

The Examiner maintains his reliance on Matsuzaki (U.S. Patent No. 5,493,136) in rejecting claims 1 - 8 under 35 USC §102(b) based on Matsuzaki. The applicants respectfully request reconsideration of this rejection.

The applicants respectfully submit that a significant structural arrangement of their claimed field-effect transistor, as now set forth in each of independent claims 1 and 5, includes the claimed source region and drain region each having a bottom face above an interface that is defined between the predetermined semiconductor layer and is provided within the claimed channel layer.

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Matsuzaki fails to teach the above-discussed claimed structural arrangement now recited in each of independent claims 1 and 5. More particularly, Matsuzaki shows in Figure 5 therein a device having a source region 26, a drain region 25, a channel layer 23 in which the bottoms of the source and drain regions 26, 25 are provided within a buffer layer 22 and are located below the interface between the buffer layer 22 and the channel layer 23. As such, Matsuzaki does not teach the applicants' claimed field-effect transistor, as now set forth in each of claims 1 and 5.

Thus, since not all of the claimed elements, as now set forth in each of claims 1 and 5, are found in exactly the same situation and united in the same way to perform the identical function in Matsuzaki's device, there can be no anticipation under 35 USC §102(b) of the applicants' claimed invention based on the teachings of Matsuzaki.

Moreover, claims 2 - 4 and 8 depend on claim 1, and further limit the scope of claim 1. Similarly, claims 6 and 7 depend on claim 5, and further limits the scope of claim 5. Thus, at least for the reasons set forth above with respect to claims 1 and 5, claims 2 - 4 and 6 - 8 should now be similarly allowable.

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In view of the above, the withdrawal of the outstanding anticipation rejection under 35 USC §102(b) based on Matsuzaki (U.S. Patent No. 5,493,136) is in order, and is therefore respectfully solicited.

In view of the aforementioned amendments and accompanying remarks, claims, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper to Deposit Account No. 01-2340.

Respectfully submitted,

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